

REMARKS

Claims 1-18 are pending in this application.

Applicant has amended claims 1, 17, and 18, and has canceled claims 19-35. These changes do not introduce any new matter.

Cancellation of Non-Elected Claims

In light of Applicant's election of claims 1-18 for prosecution on the merits in the subject application, Applicant has canceled non-elected claims 19-35. Applicant reserves the right to pursue non-elected claims 19-35 in a timely filed divisional application.

Rejections Under 35 U.S.C. § 103

Applicant respectfully requests reconsideration of the rejection of claims 1-6, 10, 11, and 14-18 under 35 U.S.C. § 103(a) as being unpatentable over *Hayashi* (US 2002/0149799 A1) in view of *Shimada* (US 2003/0038962 A1). As will be explained in more detail below, the combination of the *Hayashi* and *Shimada* references would not have suggested to one having ordinary skill in the art the subject matter defined in independent claims 1, 17, and 18, as amended herein.

Applicant has amended each of independent claims 1, 17, and 18 to specify that the print job and the modified print job include print data. Support for the change made to claims 1, 17, and 18 can be found in Applicant's specification at, for example, Paragraphs 0094-0096 as well as in Figure 7 of the drawings.

In the printing device of the presently claimed subject matter, a data receiver module receives a print job including print data from a device connecting with a network, and a job transfer module transfers a modified print job including print data to an alternative printing device.

In contrast, in *Hayashi*, color copying machine 1 receives a linkage print processing start instruction and transmits a linkage print processing start instruction command to color

copying machine 2 and color copying machine 3 via a network (see Paragraph 0119 and Figure 5). Next, color copying machine 1 reads a draft, prepares image data, and transmits the image data to color copying machine 2 and color copying machine 3 (see Paragraph 0121 and Figure 5). Thereafter, color copying machines 1, 2, and 3 print image data (see Paragraphs 0121-0123 and Figure 5).

Color copying machine 1 shown in the *Hayashi* reference does not correspond to the printing device of the presently claimed subject matter because this machine *does not receive a print job including print data* from other devices. Instead, color copying machine 1 prepares image data (i.e., print data) by itself. Color copying machines 2 and 3 shown in the *Hayashi* reference do not correspond to the printing device of the presently claimed subject matter either, because these machines *do not transfer image data* to other copying machines.

It is axiomatic that an obviousness rejection is proper only if the prior art discloses or suggests each and every feature of the claimed subject matter. The *Shimada* reference, which is cited to show examples of how copies are distributed across various numbers of printers, does not cure the above-discussed deficiencies of the *Hayashi* reference relative to the presently claimed subject matter. Thus, even if the *Hayashi* and *Shimada* references were to be combined in the manner proposed by the Examiner, the result of the combination would not have been a device having each and every feature of the presently claimed subject matter. Thus, the combination of *Hayashi* in view of *Shimada* does not raise a *prima facie* case of obviousness against the presently claimed subject matter.

Accordingly, for at least the foregoing reasons, independent claims 1, 17, and 18, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Hayashi* in view of *Shimada*. Claims 2-6, 10, 11, and 14-16, each of which ultimately depends from claim 1, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Hayashi* in view of *Shimada* for at least the same reasons set forth above regarding claim 1.

Applicant respectfully requests reconsideration of the rejection of claims 7-9, 12, and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Hayashi* in view of *Shimada*, and further in view of *Kato* (US 2003/0007818 A1). Each of claims 7-9, 12, and 13 ultimately depends from claim 1. The deficiencies of the combination of *Hayashi* in view of *Shimada* relative to the presently claimed subject matter are discussed above in connection with the obviousness rejection of, among other claims, independent claims 1, 17, and 18. The *Kato* reference does not cure the above-discussed deficiencies of the combination of the *Hayashi* and *Shimada* references relative to the presently claimed subject matter. Accordingly, claims 7-9, 12, and 13 are patentable under 35 U.S.C. § 103(a) over the combination of *Hayashi* in view of *Shimada* and *Kato* for at least the reason that each of these claims ultimately depends from claim 1.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of claims 1-18, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP067).

Respectfully submitted,
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